

**Notice of Allowability**

Application No.

09/577,515

Examiner

Toan D. Nguyen

Applicant(s)

QURESHI ET AL.

Art Unit

2665

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/4/05.
2. ☒ The allowed claim(s) is/are 3-9, 11-16, 19-32 are renumbered 1-27, respectively.
3. ☒ The drawings filed on 6/25/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>8/4/05</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|   | 9. <input type="checkbox"/> Other _____.   |

**DETAILED ACTION**

***Examiner Amendment***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Theodore Naccarella on August 04, 2005.

2. The application has been amended as follows:

**IN THE CLAIMS:**

In claim 3 line 3, the limitation "in said peripheral networks" has been replaced by --- in said plurality of peripheral networks ---.

In claim 3 line 11, the limitation "in said set," has been replaced by --- in said first set of virtual pipelines, ---.

In claim 3 line 14, the limitation "in said first set," has been replaced by --- in said first set of virtual pipelines, ---.

In claim 3 line 16, the limitation "additional channels" has been replaced by --- additional channels, ---.

In claim 3 line 17, the limitation "in the peripheral network contributing traffic to a pipeline for which traffic exceeds said predetermined threshold" has been replaced --- in said plurality of peripheral networks contributing traffic to said pipeline, and ---.

In claim 6 line 2, the limitation "call rate" has been replaced --- call arrival rate ---.

In claim 6 line 4, the limitation "call rate" has been replaced --- call arrival rate ---.

In claim 11 line 11, the limitation "said set," has been replaced by --- said first set of virtual pipelines, ---.

In claim 11 line 14, the limitation "said first set," has been replaced --- said first set of virtual pipelines, ---.

In claim 19 line 10, the limitation " in said set," has been replaced --- in said first set of virtual pipelines, ---.

In claim 19 line 13, the limitation "said first set," has been replaced --- said first set of virtual pipelines, ---.

In claim 19 line 15, the limitation "additional channels" has been replaced --- additional channels, ---.

In claim 19 line 17, the limitation "to a pipeline for which traffic exceeds said predetermined threshold" has been replaced --- to said pipeline ---.

In claim 22 line 2, the limitation "call rate" has been replaced --- call arrival rate ---

In claim 22 line 4, the limitation "call rate" has been replaced --- call arrival rate ---

In claim 26 line 10, the limitation " in said set," has been replaced --- in said first set of virtual pipelines, ---.

In claim 26 line 15, the limitation " additional channels" has been replaced --- additional channels, ---.

The above examiner's amendment was made to clarify the claims.

***Allowable Subject Matter***

3. The following is an examiner's statement of reasons for allowance:

Regarding claim 3, the prior art fails to teach a combination of the steps of:

$$(\lambda_t - \lambda_N) / \lambda_t$$

where

$\lambda_t$  is a call arrival rate for a corresponding pipeline; and

$\lambda_N$  is a call arrival rate corresponding to said predetermined threshold for said corresponding pipeline, in the specific combination as recited in the claim.

Regarding claim 11, the prior art fails to teach a combination of the steps of:

wherein step (2) comprises determining a minimum pipeline size that would reduce the call blocking ratio for said pipeline below said predetermined threshold based on call arrival rate at said virtual pipeline and average holding time per call, in the specific combination as recited in the claim.

Regarding claim 19, the prior art fails to teach a combination of the steps of:

wherein said call gapping rates are

$$\frac{\lambda_t - \lambda_N}{\lambda_t}$$

where

is a call arrival rate for a corresponding pipeline; and

is a call arrival rate corresponding to said predetermined threshold for said corresponding pipeline, in the specific combination as recited in the claim.

Regarding claim 26, the prior art fails to teach a combination of the steps of:

wherein said corrective action comprises rerouting calls in said peripheral networks so that the pass through a different pipeline in said packet-based network, in the specific combination as recited in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN  
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**MAN U. PHAN**  
**PRIMARY EXAMINER**